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10 **Attorneys for Plaintiff**
11 **KingVision Pay-Per-View, Ltd.**

12
13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**

15 **KingVision Pay-Per-View, Ltd.,**

16 **Plaintiff,**

17 **vs.**

18 **James A. Dailey, et al.**

19 **Defendant.**

20 **CASE NO. C 04-4074 WHA**

21 **STIPULATION OF DISMISSAL OF**
22 **PLAINTIFF'S COMPLAINT**
23 **AGAINST DEFENDANT JAMES A.**
24 **DAILEY, individually and d/b/a**
25 **GOLDEN BEAR SPORT BAR**

26 **IT IS HEREBY STIPULATED** by and between Plaintiff KINGVISION PAY-
27 PER-VIEW, LTD. and Defendant JAMES A. DAILEY, individually and d/b/a
28 GOLDEN BEAR SPORT BAR, that the above-entitled action is hereby dismissed
without prejudice against James A. Dailey , individually and d/b/a GOLDEN BEAR
SPORT BAR subject to the Court's jurisdiction to enforce the settlement agreement
reached between the Parties.

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34 **STIPULATION OF DISMISSAL**
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36 **PAGE 1**

1 **IT IS FURTHER STIPULATED** that provided no Party referenced above has
2 filed a motion to reopen this action by December 1, 2005, this Court shall *not* have
3 jurisdiction to set aside the dismissal and the dismissal as to Defendant James A.
4 Dailey, individually and d/b/a Golden Bear Sport Bar shall be deemed to be with
5 prejudice.

6 This dismissal is made pursuant to Federal Rules of Civil Procedure 41(a)(1).
7 Each Party referenced above shall bear its own attorneys' fees and costs.

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11 Dated: October 12, 2005

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LAW OFFICES OF THOMAS P. RILEY, P.C.
By: Thomas P. Riley, Esquire
Attorneys for Plaintiff
KINGVISION PAY-PER-VIEW, LTD.

Dated: 10/17/05



LAW OFFICES OF GEORGE HOLLAND
By: Terry R. Collins, Esquire
Attorneys for James A. Dailey,
individually and d/b/a Golden Bear Sport Bar
Defendant

The Court shall retain jurisdiction to enforce the settlement agreement only through December 23, 2005.

IT IS SO ORDERED:



Dated: October 25, 2005

The Honorable William H. Alsup
United States District Court
Northern District of California

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